

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CASE NO. 14-1208

LISA ANNE CORNELL and
G. WARE CORNELL, JR.

Petitioners,

v.

FEDERAL MARITIME COMMISSION,

Respondent.

MOTION FOR LEAVE TO INTERVENE

Pursuant to 28 U.S.C. § 2348 and Rule 15(d) of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15(d), Princess Cruise Lines, Ltd. (Corp), Carnival plc, and Carnival Corporation (collectively “Intervenors”), respectfully move for leave to intervene as of right in the above-captioned appeal in support of Respondent Federal Maritime Commission.¹ Petitioners Lisa Anne Cornell and G. Ware Cornell Jr. seek review of the final Order of the Federal Maritime Commission (“FMC” or “Commission”), *Reversing Initial Summary*

¹ Intervenors note that the Court allowed petitioner G. Ware Cornell Jr. thirty (30) days to submit a completed application for admission to the United States Court of Appeals for the District of Columbia Circuit. Counsel for Intervenors is in the process of filing the *pro hac vice* forms or appointing co-counsel and requests thirty (30) days to complete same.

Decision In Part, Affirming In Part, and Vacating In Part, Docket No. 13-02, served on August 28, 2014 (“Order”). In the Order, the Commission reversed the denial of Interveners’ Motion to Dismiss Petitioners’ section 10(b)(10), 10(b)(4) claims, affirmed dismissal of Petitioners’ section 10(c)(1) claim, vacated the remainder of the Administrative Law Judge’s Initial Summary Decision and dismissed the Complaint with prejudice. Interveners actively participated as parties in the proceedings below and their interests would be adversely affected if the Order is set aside. Therefore, the Interveners interests will be substantially affected by this Court’s review of the Commission’s Order. Interveners are thus a “party in interest in the proceeding” entitled to intervene “as of right” in this matter. 28 U.S.C. § 2348. Interveners therefore respectfully request that this Court grant their motion for leave to intervene in support of Respondent Federal Maritime Commission.

Dated: November 19, 2014

Respectfully Submitted,

MALTZMAN & PARTNERS, P.A.

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CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to D.C. Circuit Rule 27(a)(4) and D.C. Circuit Rule 28(a)(1)(A), Princess Cruise Lines, Ltd. (Corp), Carnival plc, and Carnival Corporation (collectively “Intervenors”) hereby certify the following:

In Case No. 14-1208, the Petitioners are Lisa Anne Cornell and G. Ware Cornell Jr., and the Respondent is the Federal Maritime Commission (“FMC”). Movants, Princess Cruise Lines, Ltd. (Corp), Carnival plc, and Carnival Corporation, seek leave to appear in this matter as Intervenors in support of

Respondent FMC. No amici have appeared before this Court. References to the ruling at issue appear in Petitioners' Petition for Review of Agency Order (the "Petition") filed on October 21, 2014, Document #1518925, and a copy of the ruling appears in the attachment to the Petition, Document #1518925.

Dated: November 19, 2014

Respectfully Submitted,

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, Princess Cruise Lines, Ltd. (Corp), Carnival plc, and Carnival Corporation (collectively “Intervenors”) submit the following corporate disclosure statement:

Princess Cruise Lines, Ltd. (Corp), (“Princess”) is a non-governmental corporate entity. Princess’ sole parent corporation is Carnival Corporation. No other publicly held corporation owns 10% or more of Princess stock. Princess’ stock was formerly listed on the London Stock Exchange.

Carnival Corporation discloses that there are no parent corporations or publicly held corporations that hold ten percent or more of its stock. Carnival Corporation is a publicly traded company whose stock is listed on the New York and London Stock Exchanges.

Carnival plc discloses that Carnival Corporation holds approximately twenty percent of Carnival plc's stock.

Dated: November 19, 2014

Respectfully Submitted,

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Leave to Intervene has been electronically filed the foregoing Motion

for Leave to Intervene with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the CM/ECF system. I certify further that I have directed that copies of the foregoing Motion for Leave to Intervene be served by electronic service via CM/ECF and U.S. mail to the persons on the following Service List.

By: /s/ Steve Holman
STEVE HOLMAN

SERVICE LIST
CASE NO. 14-1208

G. Ware Cornell, Esq. CORNELL & ASSOCIATES, P.A. 2645 Executive Park Drive Weston, FL 33331 <i>Attorneys for Petitioners</i>	Secretary Karen V. Gregory THE FEDERAL MARITIME COMMISSION 800 North Capitol Street, N.W. Washington, D.C. 20573 <i>Respondents</i> Jeffrey B. Maltzman, Esq. jeffreym@maltzmanpartners.com Steve Holman, Esq. steveh@maltzmanpartners.com Rafaela P. Castells, Esq. rafaelac@maltzmanpartners.com MALTZMAN & PARTNERS, PA 55 Miracle Mile, Suite 320 Coral Gables, Florida 33134 Telephone: 305-779-5665 Fax: 305-779-5664 <i>Attorneys for Interveners</i>
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